UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL NO. 3:10-CV-00331-FDW-DCK

RONALD MCGILL,)
Plaintiff,)
v.)
) ORDER
CHRIS DEPINTO, et al.,)
)
Defendants.)
)

THIS MATTER is before the Court *sua sponte* following Plaintiff's filing an Amended Complaint on January 26, 2011, adding parties as Defendants. (Doc. No. 22). On January 13, 2011, the Court granted Plaintiff's timely Motion to Amend the Complaint. (Doc. No. 21). The Court further ordered original Defendants DePinto and Public Storage, Inc. to refile any responsive pleadings. Original Defendants have not yet refiled their responsive pleadings, nor have new Defendants made appearances or otherwise responded.

It is well-settled that an amended pleading supersedes the original pleading, and that motions directed at the superseded pleadings are to be denied as moot. See generally Young v. City of Mount Rainier, 238 F.3d 567, 573 (4th Cir. 2001) (amended pleadings renders original pleading of no effect); Colin v. Marconi Commerce Sys. Emp.'s Ret. Plan, 335 F. Supp. 2d 590, 614 (M.D.N.C. 2004); Turner v. Knight, 192 F. Supp. 2d 391, 397 (D. Md. 2002).

IT IS THEREFORE ORDERED that the following motions are DENIED as moot: Defendants DePinto and Public Storage, Inc.'s Motion to Dismiss (Doc. No. 13); and Plaintiff's Motion for Summary Judgment (Doc. No. 16).

The parties may renew their respective motions at the appropriate time.

The Clerk is directed to send a copy of this Order to *pro se* Plaintiff at 2009 Ranchwood Dr., Charlotte, NC, 28217, which is his counsel of record, and to counsel for Defendants.

IT IS SO ORDERED.

Signed: January 26, 2011

Frank D. Whitney

United States District Judge